IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Civil Writ Petition No.2063 of 2007

National Bicycle Corporation of India Ltd. Petitioner

Vs.

M/s. Anandji Naranji & Co. Respondents

Mr.V.P.Sawant for petitioner.

CORAM: B.H.MARLAPALLE,J.

March 26, 2007.

P.C.

. In this writ petition the decree of eviction passed by the Small Causes Court at Mumbai in T.E. & R. Suit No. 28/29 of 2001 under the Maharashtra Rent Control Act, 1999 and as confirmed by the lower Appellate Court on 22/12/2006 is under challenge. The appellant-defendant has a statutory remedy of filing a civil revision application under Section 115 of CPC against the said orders and, therefore, when such a statutory remedy is available, a writ petition need not be entertained, as has been held by this Court in Writ Petition No.4138 of 2006 decided on 24/8/2006.

. Hence the petition is disposed with liberty to

file a civil revision application. Annexures to the petition memo be returned, if applied for. If an issue of delay arises in filing civil revision application, the pendency of this writ petition shall be taken into consideration.

. The learned counsel for the petitioner states that the stay granted by the lower Appellate Court expires on 30th March 2007. If that be so the stay order passed by the lower Appellate Court is extended by one more week.

(B.H